

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY, INC., PRODUCTS LIABILITY)
LITIGATION)
) MDL No.: 2419
) Master Docket No.: 1:13-md-2419-FDS
_____)
THIS DOCUMENT RELATES TO:)
)
)
All Actions Against Specialty Surgery Center)
And Dr. Kenneth Lister)
_____)

**DECLARATION OF BENJAMIN A. GASTEL IN SUPPORT OF PLAINTIFFS’
STEERING COMMITTEE’S RESPONSE IN OPPOSITION TO MOTION FOR
PROTECTIVE ORDER**

Benjamin A. Gastel declares, under penalty of perjury on the date identified below, as follows:

1. I am an attorney at Branstetter, Stranch & Jennings, PLLC, and our firm sits on the Plaintiffs’ Steering Committee (“PSC”) in the above-styled lawsuit (the “MDL”). I submit this declaration in support of the contemporaneously filed Plaintiffs’ Steering Committee’s Response in Opposition to the Defendants’ Motion for Protective Order.

2. Attached as Exhibit 1 is an excerpt from the deposition of Jean Atkinson, R.N.

3. Attached as Exhibit 2 is a true and correct copy of a 11/5/14 Letter from Chris Tardio to J. Gerard Stranch, IV.

4. Attached as Exhibit 3 is an excerpt from the deposition of a Larry Moore as the Rule 30(b)(6) representative for Cumberland Medical Center.

5. Attached as Exhibit 4 is a true and correct copy of an email string between the PSC and counsel for defendants in the matters involving Special Surgery Center.

Executed on this 6th day of June, in Nashville, Tennessee.

/s/ Benjamin A. Gastel

Benjamin A. Gastel